



United States Department of State

Washington, D.C. 20520

www.state.gov

DEC -2 2003

Dear Mr. Waxman:

This is in response to your letter of November 25 in which you requested that we raise with the Government of Austria the importance of extending the deadline for filing insurance claims with the General Settlement Fund (GSF).

The fair resolution of Holocaust-era insurance claims is of paramount importance to the State Department. When the Department's Office of Holocaust Issues learned of the possibility that an extensive list of names would be published after the expiration of filing deadlines, Special Envoy Edward O'Donnell began working with the Government of Austria and with the International Commission on Holocaust Era Insurance Claims (ICHEIC) to resolve the matter.

During Mr. O'Donnell's visit to Vienna on November 19, 2003, he raised this issue at a senior level in the Ministry of Foreign Affairs. Following receipt of your letter, he again discussed the matter on November 26 with a senior Foreign Ministry official.

We have been informed that a formal extension of the filing deadline would require passage of a new Austrian law. The Austrians have assured us, however, that they will approach these issues with flexibility, and in particular they made the following points:

- All surviving Austrians who were persecuted by the Nazis while in Austria, or those who fled Austria during the Nazi era, were contacted by the Austrian National Fund and urged to file a claim via a simple postcard. Approximately 18,000 of the total population of some 20,000 survivors contacted did so. The filing by a

The Honorable
Henry A. Waxman,
House of Representatives.

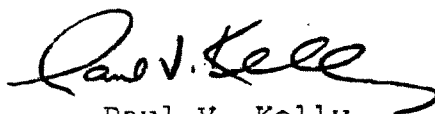
return postcard ensures that these survivors have met the initial deadline, even if, at the time they did so, they had no knowledge of the specifics of their claim. Such individuals, if they find a match on a newly published list of names, will not be penalized by the delay in publication.

- The new list of names is likely to contain some names of victims who were never Austrian citizens or permanent residents. Such applicants would not be affected by the November 28 deadline and can of course file claims until December 31, 2003 with ICHEIC.
- If the publication of the new list results in new claims by previously unidentified claimants, Austria is committed to finding a reasonable way to address these new claims.

The passing of the November 28 deadline does not mean ICHEIC will be unable to reach an acceptable arrangement with Austria on just compensation in the days and weeks thereafter. This is a process, and we will continue to work closely with the Austrian Government and with ICHEIC to ensure that Holocaust survivors and their heirs who have legitimate claims obtain the measure of justice they deserve.

If there are any new developments, I will inform you.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul V. Kelly", with a stylized flourish at the end.

Paul V. Kelly
Assistant Secretary
Legislative Affairs